

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroshi OJI Application No.: 10/572,730 Confirmation No.: 6903 Filing or 371(c) Date: March 21, 2006 Title: SEMICONDUCTOR DEVICE HAVING HIGH-K GATE DIELECTRIC LAYER AND METHOD FOR MANUFACTURING THE SAME	Art Unit: 2818 Examiner: A. Huynh
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**RESPONSE TO RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES REQUIREMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement and Election of Species Requirement issued on October 2, 2008, Applicant elects Group I and Species II (Fig 3), including claims 1 and 2 for prosecution in the present application. This election is made without traverse.

Applicant hereby reserves the right to file a Divisional Application to continue prosecution of the non-elected claims 3-5.

Favorable consideration and prompt allowance of the present application are respectfully requested.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Dated: October 22, 2008

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